

## **RESOLUTION 14 -2010**

### **RESOLUTION CREATING THE CATARACT FIRE SERVICE AREA**

**BE IT RESOLVED** by the Board of County Commissioners (the “Board”) of Jefferson County, Montana (the “County”), as follows:

Section 1. Passage of Resolution of Intent. This Board, on May 4, 2010, adopted Resolution 48-2009 Amended (the “Resolution of Intent”), pursuant to which this Board declared its intention to create the Cataract Fire Service Area.

Section 2. Notice and Public Hearing. Notice of passage of the Resolution of Intent was duly published and mailed in all respects in accordance with law, and on June 15, 2010, this Board conducted a public hearing on the creation of the Fire Service Area. At the hearing, this Board heard and passed on all protests made during the period ended 30 days are the first date of publication of the notice of passage of the Resolution of Intent (the “Protest Period”).

Section 3. Protests. Within the Protest Period, 22 protests against the formation of the Fire Service Area were filed with the County Clerk and Recorder and not withdrawn by the owners of the property within the Fire Service Area.

Section 4. Creation of the Fire Service Area; Insufficiency of Protests. The Fire Service Area is hereby created on the terms and conditions set forth in, and otherwise in accordance with, the Resolution of Intent. The protests against the creation of the Fire Service Area filed during the Protest Period are hereby found to be insufficient. The findings and determinations made in the Resolution of Intent are hereby ratified and confirmed.

Section 5. Obligations. The Petitioner/advocate for the Cataract Fire Service area, Ed Beta, has promised and is hereby obligated to complete the transfer of two (2) fire trucks to the Cataract Fire Service Area immediately as well as enter into a lease for two (2) additional fire trucks for a period of ten (10) years as well as enter into a twenty (20) year lease for use of a garage to store said fire trucks. This resolution is contingent upon said obligations being fulfilled within fifteen (15) days of this date, otherwise said fire service area shall be deemed not created.

Section 6. Passage of Resolution. The Board of County Commissioners of Jefferson County hereby conditionally adopts this resolution creating the Cataract Fire Service Area pursuant to the Amended Resolution of Intent, Resolution 48-2009 Contingent upon the obligations set forth in Section 5.

Dated this 29<sup>th</sup> day of June, 2010.

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**TOMAS E. LYTHGOE, CHAIR**

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**DAVE KIRSCH, COMMISSIONER**

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**LEONARD WORTMAN, COMMISSIONER**